


UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
SOUTHERN DIVISION

**FILED**  
MAR 10 2006  
  
CLERK

\*\*\*\*\*

WILLIAM LEITH,

Plaintiff,

vs.

BOB DOOLEY, Warden; C/O THOMPSON;  
and LT. STEVENS,

Defendants.

CIV. 06-4042

ORDER DETERMINING  
IN FORMA PAUPERIS STATUS

\*\*\*\*\*

It satisfactorily appears from the prison records that the average monthly deposits to plaintiff's prisoner trust account for the past six months was \$27.38, and that his average monthly balance for the past six months was \$6.94. The current balance of his prisoner trust account is \$.54.

The court finds that plaintiff is not required by the Prison Litigation Reform Act, 28 U.S.C. § 1915, to make an initial partial filing fee.

Upon the record,

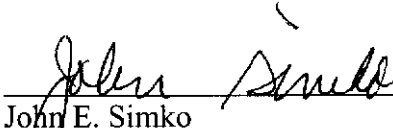
IT IS ORDERED:

1. That plaintiff's motion to proceed in forma pauperis is granted, subject to further review to determine if this action should hereafter be dismissed pursuant to 28 U.S.C. § 1915(e)(2).
2. That the institution having custody of the plaintiff is hereby directed that whenever the amount in plaintiff's trust account exceeds \$10.00, monthly payments that equal 20% of the funds credited the preceding month to the plaintiff's trust account shall

be forwarded to the U.S. District Court Clerk's Office pursuant to 28 U.S.C. §  
1915(b)(2), until the filing fee is paid in full.

Dated this 10 day of March, 2006.

BY THE COURT:

  
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John E. Simko  
United States Magistrate Judge

ATTEST:

JOSEPH HAAS, CLERK

By: Shelly Margulies, Deputy

(SEAL)